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09/773,456	01/31/2001	Michael J. Novak	MS1-728US	7082

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LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER	
TRAN, MYLINH T	
ART UNIT	**PAPER NUMBER**
2179	

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5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,456	NOVAK ET AL.	
	Examiner	Art Unit	
	Mylinh T Tran	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☑ The drawing(s) filed on 7/24/04 is/are: a)☑ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3 and 4*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 34-37 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Fernandez [US. 2002/0099713].

As to claims 34-37 and 40, Fernandez et al. shows a layout manager configured to process a hierarchical data structure associated with a skin, the hierarchical data structure containing information that can be used by the layout manager to render the skin and one or more rendering elements associated with the layout manager, each rendering element being associated with a skin element and being configured for use in rendering their associated skin element (page 1, 0007-0008). Fernandez et al. teaches a skin (a style of UI) definition file and the skin definition file defining a skin (page 1, 0014-0016). The skin serves as the visual portion of UI that is the portion that the user sees when interact with an application. Fernandez et al. also shows the visual appearance of a computer operating system's user interface components (see abstract)). Applicant's attention is directed to page 1, 0007-0008 "The schema file allows new standard and custom controls, parts states, and properties to be added to the system for themeing user interface components" and "Advantageously, custom theme schema files can extend the system theme schema by adding declarations of

custom enumerations, custom properties, custom controls.... The system and custom schema files establish the allowable form and content of data that specifies how user interface components should be displayed...". Because Fernandez et al. teaches multiple GUI elements (GUI interface), these elements have to be in hierarchical model. Therefore, it is inherent that Fernandez et al. shows the hierarchical data structure associated with the skin.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Markel [US. 6,760,043].

As to claim 11, Markel shows appearance of the UI (a style of the UI) at the abstract; the hierarchical tag-based language (XML language) (see column 2, lines 30-40 and column 3, line 62 through column 4, line 6) and multiple tag pairs (column 8, lines 39-50 and column 10, lines 18-30).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10, 12-33, 38-39 and 41-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. [US 2002/0099713] in view of Markel [US. 6,760,043].

As to claims 1, Fernandez et al. discloses one or more computer readable media (page 2, 0019-0020]; at least one skin (a style of UI) definition file and the skin definition file defining a skin (page 1, 0014-0016). The skin serves as the visual portion of UI that is the portion that the user sees when interact with an application. Fernandez et al. shows the visual appearance of a computer operating system's user interface components (see abstract)). The difference between Fernandez et al. and the claim is the skin definition file (above) being defined in a hierarchical tag-based language. Although Fernandez et al. suggests the hierarchical tag-based language (XML language) by providing the protocols HTTP (page 2, 0023), it fails to clearly teach the skin definition file being defined in a hierarchical tag-based language (XML language). However, Markel shows appearance of the UI (a style of the UI) at the abstract; the hierarchical tag-based language (XML language) (see column 2, lines 30-40 and column 3, line 62 through column 4, line 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Fernandez et al. at the time the invention was made to modify the skin definition file as taught by Fernandez et al. to include the hierarchical tag-based language of Markel in order to provide a truly flexible and dynamic skin by using XML as suggested by Fernandez et al.

As to claim 2, Fernandez et al. shows the one or more art files (define aspects of a skin's appearance) resident on the computer-readable media, the art files containing images associated with the skin (figures 4-8).

As to claim 3, Fernandez et al. teaches at least one art file defining a primary is image that can be viewed by a user when the skin is installed (applicant's attention is directed to page 1, 0014 "Other user interface components for which the component's appearance may be changed....Modifying the appearance of such user interface component". The primary image is the image before is modified.

As to claim 4, Fernandez et al. also teaches at least one art file defining a secondary image that is viewable in response to a user action (page 1, 0014, in response to a user action such like a command to modify the appearance of the UI component, the secondary image is displayed).

As to claim 5, Fernandez et al. shows at least one art file defining a mapping image to specify skin regions that respond to user input (the image before modified is mapped into one skin style and the image after modified is mapped into another skin style.

As to claim 6, Fernandez et al. also shows one or more script files resident on the computer-readable media, the script files defining responses to various events to give the skin a degree of interactivity. The use of script files provides the capability for a skin to respond to various events. For example, through the user of script files, a skin can "do" something (react) when user clicks on a button. Script files also enable a skin to respond to change. Applicant's attention is directed to page 5, 0043, various controls).

As to claims 7-8 and 59-60, Ferandez et al. demonstrates at least one event comprises an internal event and an external event that are associated with an application with which the skin is associated (in the process of changing the appearance of the UI

component, the internal event and external event are included like clicking a button to play or to stop a music player) (page 1, 0014).

As to claims 9, 29, 31 and 46, Markel also demonstrates the skin definition file comprising an XML file (column 3, line 62 through column 4, line 6, XML language is extension of HTML).

As to claims 10, 45 and 50, the claim is analyzed with previously discussed as respect to claims 1-6.

As to claims 12-13, Fernandez et al. discloses one or more computer readable media (page 2, 0019-0020]; at least one skin (a style of UI) definition file and the skin definition file defining a skin (page 1, 0014-0016. The skin serves as the visual portion of UI that is the portion that the user sees when interact with an application. Fernandez et al. shows the visual appearance of a computer operating system's user interface components (see abstract)). The difference between Fernandez et al. and the claim is the skin definition file (above) being defined in a hierarchical tag-based language. Although Fernandez et al. suggests the hierarchical tag-based language (XML language) by providing the protocols HTTP (page 2, 0023), it fails to clearly teach the skin definition file being defined in a hierarchical tag-based language (XML language). However, Markel shows appearance of the UI (a style of the UI) at the abstract; the hierarchical tag-based language (XML language) (see column 2, lines 30-40 and column 3, line 62 through column 4, line 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Fernandez et al. at the time the invention was made to modify the skin definition file as taught by Fernandez et al. to include the hierarchical tag-based language of Markel in order to provide a truly flexible and dynamic skin by using XML as suggested by Fernandez et al.

As to claim 14, Fernandez et al. also shows the tag pairs collectively reference information associated with a background image and images associated with individual skin elements (pages 1-2, 0016).

As to claims 15 and 20, Although Fernandez et al. shows the mapping relationship, they do not explicitly mention the establishing a color mapping relationship between one or more skin elements and associated colors in an image map. It is well known in the state of the art that each color defining a region of the mapping image. The Examiner takes OFFICAL NOTICE. It would have been obvious to one of ordinary skill in the art, having the teachings of Fernandez et al. before him, to modify the mapping relationship of Fernandez et al. to be the color mapping relationship, as made known in the state of the art.

As to claims 16 and 21, Markel shows at least one tag pair contains information associated with at least one subview that defines a subsection within a skin that can be moved or hidden (column 4, lines 62 through column 5, line 19).

As to claims17-18 and 32, the claim is analyzed with previously discussed as respect to claim 1.

As to claim 19, Fernandez et al. teaches specific skin elements comprising skin controls (page 5, 0043, various control).

As to claims 22-24, the claim is analyzed with previously discussed as respect to claims 1, except for the feature of providing one or more file types that define different aspects of a skin (different appearances of UI as cited at page 1, 0015, Fernandez et al).

As to claim 25, Fernandez et al. shows the file types permitting the skin's layout and looking to be modified (page 1, 0015).

As to claims 26-28, Fernandez et al. also shows the file types permitting the skin's functionality and look to be modified (pages 1-2, 0016-0018).

As to claims 30 and 33, the claim is analyzed with previously discussed as respect to claims 1, 15 and 20.

As to claims 38-39, the claims are analyzed as previously discussed with respect to claim 34 except for the feature of XML file that describes the skin and its attributes. Markel shows XML file at column 3 line 62 through column 4, line 6).

As to claims 41,44 and 47-48, the claim is analyzed with previously discussed as respect to claim 34 except for the feature of a script engine operably associated with the layout manager and configured to receive and execute script associated with one or more of the rendering elements, the script defining a degree of interactivity for the skin. Fernandez et al. shows the feature at page 5, 0043.

As to claims 42-43, the claim is analyzed with previously discussed as respect to claim 38

As to claim 49-51, the claim is analyzed with previously discussed as respect to claim 34 except for the feature of one or more events to the script engine, the script engine being programmable to take a definable action in connection with the occurrence of the one or more events, the definable action providing a degree of interactivity for the skin. Fernandez et al. shows the feature at page 5, 0043.

As to claims 52-54, the claim is analyzed with previously discussed as respect to claims 10 and 34.

As to claims 55-56, Markel shows the processing of the hierarchical data structure comprises providing one or more events to the script engine, the script engine being

programmable to take a definable action in connection with the occurrence of the one or more events (column 4, lines 7-40 and column 4, line 62 through column 5, line 20).

As to claim 57, the claim is analyzed with previously discussed as respect to claims 52 and 41.

As to claims 58, 61 and 64-66, the claim is analyzed with previously discussed as respect to claim 1 and 10 except for the feature of determine if a defined event associated with the rendered skin has occurred and re-rendereing taking place at runtime. Fernandez et al. shows this feature at page 1, 0007-0008.

As to claims 62-63, Fernandez et al. shows ascertaining being performed by a script engine that is programmed with one or more events and script files that are related to the events and executed by the script engine (page 5, 0043).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 67-72are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. [US 2002/0099713] in view of Markel [US. 6,760,043] and further in view of Abdelnur et al. [US. 6,429,882].

As to claims 67, 69 and 72, the claim is analyzed with previously discussed as respect to claim 16, 21 except for defining a tree structure having multiple nodes, each node being associated with a visible region and having one or more attributes; to

recalculating a visible region for a node responsive to an attribute change for the visible region; recalculating a visible region associated with a parent node of said node; and after said acts of recalculating, re-rendering a skin associated with the tree structure. Abdelnur et al. shows the limitation of multiple node of the hierarchical data structure (column 6, lines 38-55). Because Abdelnur et al. shows the hierarchical model, it is inherent that the reference shows the recalculating node on the tree also. It would have been obvious to one of ordinary skill in the art, having the teachings of Fernandez et al. and Markel at the time the invention was made to modify the skin definition file and the skin definition file being defined in a hierarchical tag-based language as taught by Fernandez et al. and Markel to include the defining the tree structure having multiple nodes in the hierarchical model of Abdelnur et al. in order to be easy sort objects in the order of precedence by using hierarchical model as taught by Abdelnur et al.

As to claim 68, Markel teaches defining of the one or more subviews comprises doing so using an XML data structure (column 3, line 62 through column 4, line 6).

As to claims 70-71, Fernandez et al. shows re-rendering takes place at runtime and defining of the tree structure comprises doing so at runtime (page 1, 0007-0008).

Conclusion

Any inquiry concerning this communications or earlier communications from the examiner should be directed to examiner Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday to Thursday from 8.30am 6.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at the number (703) 308-5186. The fax number for this group is (703) 308-9051.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

Mylinh Tran

Art Unit: 2179

BA HUYNH
PRIMARY EXAMINER

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